FILED

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BY: ECL DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury '08 CR 0883 JAH

UNITED STATES OF AMERICA, Plaintiff, v. GUMERCINDO GONZALEZ-BASTIDA, Defendant.	Criminal Case No. ___________ I N D I C T M E N T Title 8, U.S.C., Secs. 1326(a) and (b) - Attempted Entry After Deportation

The grand jury charges:

On or about March 3, 2008, within the Southern District of California, defendant GUMERCINDO GONZALEZ-BASTIDA, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e., conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act to wit, crossing the border from Mexico into the

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United States, that was a substantial step toward committing the offense, all in violation of Title 8, United States Code, Sections 1326(a) and (b).

It is further alleged that defendant GUMERCINDO GONZALEZ-BASTIDA was removed from the United States subsequent to April 12, 2002.

DATED: March 26, 2008.

A TRUE BILL:

Foreperson

KAREN P. HEWITT
United States Attorney

By: CAROLINE P. HAN
Assistant U.S. Attorney